



2026:CGHC:21321-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 260 of 2026**

Ghasi Ram Dhuri S/o Laxmi Prasad Dhuri Aged About 23 Years R/o Village -Ward No. 11 Chhatauna, Hirri Mines P.S. -Chakarbhatha, District Bilaspur (C.G.)

... Petitioner**versus**

1 - State of Chhattisgarh, through Secretary Home Department of Home Affairs Raipur Distt. Raipur (C.G.)

2 - The Director General Prisons, Jail Road Bilaspur, Distt. Bilaspur (C.G.)

3 - The Jail Superintendent Central Jail Bilaspur District Bilaspur (C.G.)

4 - The District Magistrate Bilaspur Distt. Bilaspur (C.G.)

5 - The Superintendent of Police Bilaspur Distt. Bilaspur (C.G.)

6 - Station House Officer Police Station -Chakarbhata Distt. Bilaspur (C.G.)

... Respondents

For Petitioner : Ms. Seema Mishra, Advocate
For Respondent/State : Dr. Saurabh Kumar Pande, Dy. Adv. General

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board**Per Ramesh Sinha, Chief Justice****07.05.2026**

1. Heard Ms. Seema Mishra, learned counsel for the petitioner. Also heard Dr. Saurabh Kumar Pande, learned Deputy Advocate General, appearing for the State.

2. The present writ petition has been filed by the petitioner with the



following prayers:

“10.1 That this Hon'ble Court may kindly be pleased to set aside the impugned order dated 09.02.2026 (P/1) passed by the respondent no.4.

10.2. That this Hon'ble Court may kindly be pleased to direct the respondents to release of the petitioner on parole, as per the provision of law.

10.3. That, any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioner in the interest of justice along with costs of the petition.”

3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Additional Sessions Judge, First Fast Track Special Court, Bilaspur (C.G.) under Section 376(3) of the IPC and Section 4 and 6 of the POCSO Act and sentenced to undergo RI for 20 years and fine of Rs.1,000/-in default of payment of fine to further undergo RI for four months vide order dated 25.11.2023 in Special Sessions Case (POCSO Act) No. 98/2022, thereafter, the appellant filed an appeal against the said order in CRA No. 66/2024 and along with said appeal, the petitioner has filed an application for suspension of sentence and grant of bail which was rejected by this Hon'ble Court vide order dated 21.03.2024. The said prisoner is presently lodged in since 02.06.2022. She further submitted that the petitioner, after having served a substantial portion of his sentence, applied for temporary release on parole under the provisions of the Chhattisgarh Prisoners Leave Rules, 1989, the respondent authorities forwarded the matter to the Superintendent of Police, Bilaspur, for inquiry. As part of this inquiry,



statement of the victim was recorded, who raised objection to the release of the petitioner on parole and in the lieu of the said objection the District Magistrate, Bilaspur rejected the application filed by the petitioner vide order dated 09.02.2026, summarily without following the mandate of the Chhattisgarh Prisoner's Leave Rules, 1989. It is thus submitted that the order dated 09.02.2026 suffers from non-application of mind and violation of statutory provisions, and is liable to be quashed.

4. *Per contra*, learned State counsel opposed the submissions and would submit that the petitioner stands convicted of heinous offence under Section 376(3) of the IPC and Section 4 and 6 of the POCSO Act and sentenced to undergo RI for 20 years and fine of Rs.1,000/-in default of payment of fine to further undergo RI for four months. The application for temporary release was considered by the Collector-cum-District Magistrate, Bilaspur, on the recommendation of the Superintendent of Police, who specifically recorded the objection of the victim and her family that if the petitioner is released even temporarily, there is a grave apprehension of danger to their lives. It is further pointed out that this Court in ***WPPIL No. 33 of 2025 (In the Matter of Suo Moto Public Interest Litigation vs. State of Chhattisgarh & Others)*** has already expressed its concern that several prisoners released on parole or short-term bail have absconded and have not returned to custody, thereby creating serious law and order issues. In light of such observations and considering the apprehension expressed by the victim's family, the competent authority rightly rejected the petitioner's application for parole, and no interference is warranted.



5. Having heard learned counsel for the parties and upon perusal of the record, this Court finds no infirmity in the impugned order dated 09.02.2026. The rejection of the petitioner's application for temporary release is based not only on the nature and gravity of the offences for which he stands convicted, but also on the valid apprehension expressed by the victim's family regarding threat to their lives. Furthermore, this Court in *WPPIL No. 33 of 2025* has already observed the tendency of prisoners misusing the concession of parole and absconding, which has a direct bearing on public order and safety. In view of these circumstances, the authority was justified in exercising caution and rejecting the petitioner's request.

6. Accordingly, the writ petition being devoid of merit deserves to be and is hereby **dismissed**. However, the petitioner is at liberty to take necessary steps for final hearing of CRA No. 66/2024.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice